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16 Attorneys for Plaintiffs
17 HOLOGIC, INC., CYTYC CORPORATION and HOLOGIC LP

18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA

20 SAN JOSE DIVISION

21 HOLOGIC, INC., CYTYC CORPORATION,
22 and HOLOGIC L.P.,

23 Plaintiffs,

24 vs.

25 SENORX, INC.,

26 Defendant.

27 Case No. C08 00133 RMW (RS)

28 **PLAINTIFFS' REPLY TO DEFENDANT'S
COUNTERCLAIMS**

29 **DEMAND FOR JURY TRIAL**

30 AND RELATED COUNTERCLAIMS.

1 Plaintiffs Hologic, Inc., Cytac Corporation, and Hologic L.P. (collectively "Hologic"), by
2 counsel, hereby reply to the counterclaims filed by Defendant SenoRx, Inc. ("SenoRx") and states as
3 follows:

4 **COUNTERCLAIMS**

5 **PARTIES**

6 49. Hologic lacks sufficient information with which to admit or deny the allegations of
7 Paragraph 49 of the Counterclaims and on that basis denies the same.

8 50. Hologic admits that Hologic, Inc. is a Delaware corporation with its principal place of
9 business in Bedford, Massachusetts.

10 51. Hologic admits that Cytac Corporation is a Delaware corporation with its principal
11 place of business in Marlborough, Massachusetts.

12 52. Hologic admits that Hologic L.P. is a limited partnership with its principal place of
13 business in Marlborough, Massachusetts.

14 **JURISDICTION**

15 53. Hologic admits that the Counterclaims purport to seek a declaration of patent
16 infringement and invalidity arising under 35 U.S.C. §§ 101 *et seq.*, and that this Court would have
17 jurisdiction over the subject matter of such an action pursuant to 28 U.S.C. §§ 1331, 1338, 1367, 2201,
18 and 2202.

19 54. Hologic admits that venue in this Court is proper under 28 U.S.C. §§ 1391 and 1400(b).

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ANSWER TO COUNT ONE OF THE COUNTERCLAIMS

55. No separate response to Paragraph 55 of the Counterclaims is required.
56. Hologic denies the allegations of Paragraph 56 of the Counterclaims.

ANSWER TO COUNT TWO OF THE COUNTERCLAIMS

57. No separate response to Paragraph 57 of the Counterclaims is required.
58. Hologic denies the allegations of Paragraph 58 of the Counterclaims.

ANSWER TO COUNT THREE OF THE COUNTERCLAIMS

59. No separate response to Paragraph 59 of the Counterclaims is required.
60. Hologic denies the allegations of Paragraph 60 of the Counterclaims.

ANSWER TO COUNT FOUR OF THE COUNTERCLAIMS

61. No separate response to Paragraph 61 of the Counterclaims is required.
62. Hologic denies the allegations of Paragraph 62 of the Counterclaims.

ANSWER TO COUNT FIVE OF THE COUNTERCLAIMS

63. No separate response to Paragraph 63 of the Counterclaims is required.
64. Hologic denies the allegations of Paragraph 64 of the Counterclaims.

ANSWER TO COUNT SIX OF THE COUNTERCLAIMS

65. No separate response to Paragraph 65 of the Counterclaims is required.
66. Hologic denies the allegations of Paragraph 66 of the Counterclaims.

ANSWER TO COUNT SEVEN OF THE COUNTERCLAIMS

67. No separate response to Paragraph 67 of the Counterclaims is required.
68. The allegations of paragraph 68 set forth a legal conclusion to which no

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1 required.

2 Dated: March 21, 2008

HOWREY LLP

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By: /s/ Katharine L. Altemus
Katharine L. Altemus

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8 HOWREY LLP
9 Attorneys for Plaintiffs
Hologic, Inc., Cytac Corporation,
and Hologic LP

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